

IN THE UNITED STATES DISTRICT COURT

MAY 24 2016

FOR THE DISTRICT OF NEW MEXICO

MATTHEW J. DYKMAN
 CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DIAMOND COLEMAN,

Defendant.

CRIMINAL NO.

16-2363MCA

 Count 1: 21 U.S.C. §§ 841(a)(1) and
 (b)(1)(C): Distribution of

Methamphetamine;

 Counts 2 and 5: 21 U.S.C. §§ 841(a)(1) and
 (b)(1)(B): Distribution of 50 Grams and More
 of a Mixture and Substance Containing
 Methamphetamine;

 Counts 3 and 6: 18 U.S.C. §§ 924(c): Using
 and Carrying a Firearm During and in
 Relation to a Drug Trafficking Crime, and
 Possessing a Firearm in Furtherance of Such
 Crime;

 Counts 4 and 7: 18 U.S.C. §§ 922(g)(1) and
 924(a)(2): Felon in Possession of a Firearm
 and Ammunition; and

 Count 8: 18 U.S.C. §§ 922(g)(1) and
 924(a)(2): Felon in Possession of Firearm.
INDICTMENT

The Grand Jury charges:

Count 1

On or about May 2, 2016, in Bernalillo County, in the District of New Mexico, the
 defendant, **DIAMOND COLEMAN**, unlawfully, knowingly and intentionally distributed a
 controlled substance, methamphetamine.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

Count 2

On or about May 3, 2016, in Bernalillo County, in the District of New Mexico, the defendant, **DIAMOND COLEMAN**, unlawfully, knowingly and intentionally distributed a controlled substance, 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B).

Count 3

On or about May 3, 2016, in Bernalillo County, in the District of New Mexico, the defendant, **DIAMOND COLEMAN**, during and in relation to a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, specifically, distribution of 50 grams and more of a mixture and substance containing methamphetamine as charged in Count 2 of this Indictment, knowingly used and carried a firearm, and in furtherance of such crime, possessed said firearm.

In violation of 18 U.S.C. § 924(c).

Count 4

On or about May 3, 2016, in Bernalillo County, in the District of New Mexico, the defendant, **DIAMOND COLEMAN**, having previously been convicted of the following felony crimes punishable by imprisonment for a term exceeding one year:

- (1) possession of a controlled substance (three counts),
- (2) trafficking of a controlled substance (methamphetamine), and
- (3) conspiracy to commit trafficking by distribution of methamphetamine

knowingly possessed, in and affecting interstate commerce, a firearm and ammunition:

- (1) a Lorcin, model L380, .380 caliber pistol, serial number 134172, and

(2) five (5) .380 caliber cartridges.

In violation of 18 U.S.C. §§ 922(g)(1).

Count 5

On or about May 4, 2016, in Bernalillo County, in the District of New Mexico, the defendant, **DIAMOND COLEMAN**, unlawfully, knowingly and intentionally distributed a controlled substance, 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B).

Count 6

On or about May 4, 2016, in Bernalillo County, in the District of New Mexico, the defendant, **DIAMOND COLEMAN**, during and in relation to a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, specifically, distribution of 50 grams and more of a mixture and substance containing methamphetamine as charged in Count 5 of this Indictment, knowingly used and carried a firearm, and in furtherance of such crime, possessed said firearm.

In violation of 18 U.S.C. § 924(c).

Count 7

On or about May 4, 2016, in Bernalillo County, in the District of New Mexico, the defendant, **DIAMOND COLEMAN**, having previously been convicted of the following felony crimes punishable by imprisonment for a term exceeding one year:

- (1) possession of a controlled substance (three counts),
- (2) trafficking of a controlled substance (methamphetamine), and
- (3) conspiracy to commit trafficking by distribution of methamphetamine

knowingly possessed, in and affecting interstate commerce, a firearm and ammunition:

- (1) a Glock, .40 caliber pistol, and
- (2) five (5) .40 caliber cartridges.

Count 8

On or about May 10, 2016, in Bernalillo County, in the District of New Mexico, the defendant, **DIAMOND COLEMAN**, having previously been convicted of the following felony crimes punishable by imprisonment for a term exceeding one year:

- (1) possession of a controlled substance (three counts),
- (2) trafficking of a controlled substance (methamphetamine), and
- (3) conspiracy to commit trafficking by distribution of methamphetamine

knowingly possessed, in and affecting interstate commerce, firearms:

- (1) a Hawk, 12 gauge shotgun, serial number 0121389, and
- (2) a Taurus, 9mm pistol, serial number TJN01222.

In violation of 18 U.S.C. §§ 922(g)(1).

Counts 1 through 6 of this Indictment are re-alleged and incorporated by reference for the purpose of alleging forfeiture to the United States pursuant to 21 U.S.C. § 853, and 18 U.S.C. § 924(d)(1) by 28 U.S.C. § 2461(c).

FORFEITURE

Upon conviction of any offense in violation of 21 U.S.C. § 841, the defendant, **DIAMOND COLEMAN**, shall forfeit to the United States pursuant to 21 U.S.C. § 853 any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of each offense for which he is convicted, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said offenses.

Upon conviction of any offense in violation of 18 U.S.C. §§ 922(g)(5) and 924(a)(2) and (c), the defendant, **DIAMOND COLEMAN**, shall forfeit to the United States pursuant to 18 U.S.C. § 924(d)(1) by 28 U.S.C. § 2461(c) any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of each offense for which he is convicted, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said offenses. The property to be forfeited to the United States includes but is not limited to the following:

U.S. CURRENCY

Approximately \$5,200.00

SUBSTITUTE ASSETS

If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), 18 U.S.C. § 982(b), and 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described above.

A TRUE BILL:



Assistant United States Attorney

AB 05/22/16 6:46AM

/s/
FOREPERSON OF THE GRAND JURY